

BOARD OF FINANCE
SPECIAL MEETING
FEBRUARY 8, 2007

Present: Kathleen McGannon; George Areson; Martin Shapiro; Tom Tesoro; Russell Friedson; William Crooks; alternates Joanna Bruner; Michael London; and Patrick Helfrich (arrived 7:15 p.m.)

The Special Meeting of the Board of Finance was called to order at 7:00 p.m. by Chairman Kathleen McGannon. All those present joined in the Pledge of Allegiance and a moment of silence.

The following is a brief summary of the session. The complete record is on tape in the office of the Finance Department.

Item #1...George Areson moved to approve a supplemental appropriation from the General Fund to the Board of Finance Professional Services Account 01011400-522202 in the amount of \$5,000 for the purpose of hiring independent legal counsel; the assignment for counsel will be to determine how the Board can best address the position of the Town Attorney vis a vis the Board of Finance's ability to ask questions of the Internal Auditor, and reassert its traditional necessary, and appropriate oversight of its own employee. Motion was seconded by Marty Shapiro.

Chairman spoke with the Town Attorney and he suggested that instead of appropriating the money from the General Fund, we use the Town Attorney's Professional Services & Fees Account 01012800-522202 not to exceed \$2,000. An amendment would be needed.

Mr. Friedson questioned using money from the Town Attorney's account. Who would be hiring the attorney – the Board of Finance or the Town Attorney? Chair responded that we would be hiring the person and using the Town Attorney's professional services account which has been used in the past for hiring outside people.

George Areson moved to amend the previous motion to read: "Motion to engage the services of an attorney to provide an independent, legal opinion. The opinion will address the scope of authority of the Board of Finance, based on State Statute and Trumbull Town Charter, in general and in particular, to conduct operational audits of department of the Town of Trumbull. The cost of said legal opinion shall not exceed \$2,000 to be paid from the Town Attorney's Professional Services and Fees account. The Chairman of the Board of Finance, or her designee, is authorized to contact the dean of a law school with the State of Connecticut to render the opinion, or to recommend an independent attorney to render such opinion. Motion was seconded by Tom Tesoro.

Mr. Tesoro supports this motion stating that it is prudent and wise to have this matter clarified. He feels that \$2,000 is an adequate amount.

Mr. Friedson stated that if \$2,000 works, he is all for it. The issue here is our right to ask questions of our employee for work that is done for this Board. She audited our request but refused to answer questions about her work product.

Mr. Crooks has a problem with the word operational. He feels it is too specific. He would prefer that we say “financial and operational” audits.

The scope of this Board’s authority needs to be adjudicated by an independent attorney. Mr. Tesoro recommended we deal with this motion and then go into Executive Session for a discussion about our employee. This motion is directed to answering the question what is the Board of Finance’s authority and does the Internal Auditor have the responsibility of answering our questions.

Mr. Areson withdrew his amended motion; seconded by Mr. Tesoro.

Mr. Areson moved to amend the resolution to read as follows: Motion to engage the services of an attorney to provide an independent, legal opinion. The opinion will address the scope of authority of the Board of Finance, based on State Statute and Trumbull Town Charter, in general and in particular, to conduct financial and operational audits of departments of the Town of Trumbull. The cost of said legal opinion shall not exceed \$2,000 to be paid from the Town Attorney’s Professional Services and Fees account. The Chairman of the Board of Finance, or her designee, is authorized to contact the dean of a law school within the State of Connecticut to render the opinion, or to recommend an independent attorney to render such opinion. The motion was seconded by Mr. Tesoro. Motion carries 5 – 1 (Friedson) on amendment.

Motion carries 5 – 0 - 1 (McGannon) on motion as amended.

Mr. Tesoro moved to table Items 2 and 3; seconded by Mr. Areson. Motion to table is not debatable. Motion carries 4 – 2 (Friedson, Crooks).

Mr. Friedson submitted for the record his list of questions that he wanted reviewed.

Mr. Crooks voted against the last motion because we should have put both motions on the floor for discussion.

Motion to adjourn made by Mr. Shapiro; seconded by Mr. Tesoro.

Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Gail Bokine, Clerk